

JEFFREY S. RUGG, ESQ., Bar No. 10978
jrugg@bhfs.com
BROWNSTEIN HYATT FARBER SCHRECK, LLP
100 North City Parkway, Suite 1600
Las Vegas, NV 89106-4614
Telephone: 702.382.2101
Facsimile: 702.382.8135

Attorneys for Defendant
OTSUKA PHARMACEUTICAL CO., LTD.

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

RENEE FOLEY and BRANDON FOLEY,
Plaintiff,

v.

BRISTOL-MYERS SQUIBB COMPANY,
OTSUKA PHARMACEUTICAL CO.,
LTD., and OTSUKA AMERICA
PHARMACEUTICAL, INC.

Defendant.

CASE NO.: 2:16-cv-01596-APG-VCF

**DEFENDANT OTSUKA
PHARMACEUTICAL CO., LTD.'S
UNOPPOSED MOTION FOR EXTENSION
OF TIME TO RESPOND TO PLAINTIFFS'
COMPLAINT (First Request)**

Defendant Otsuka Pharmaceutical Co., Ltd. ("OPC") moves under Local Rules IA 6-1 and 6-2 for a 30-day extension of time within which OPC may move, answer, or otherwise respond to Plaintiffs' Complaint.

The extension is warranted due to the nationwide scope of this litigation: similar actions have been filed across the country. This case is one of 33 similar cases pending in 18 federal courts and a consolidated action pending in New Jersey state court. On June 24, 2016, the parties in the 26 similar cases pending at that time jointly filed a Motion to Transfer before the Judicial Panel on Multidistrict Litigation to transfer those cases and any subsequent related actions involving similar claims—such as this case—to a single judge for coordinated or consolidated pretrial proceedings pursuant to 28 U.S.C. § 1407. Defendants are in the process of filing

1 motions to stay in all of the related cases except those pending in the Northern District of Florida
2 (the requested MDL venue) and anticipate filing such a motion in this case. Thus far, stays of
3 actions pending decisions by the JPML have been entered in 18 of the cases and are pending in an
4 additional 6 cases.

5 This is OPC's first request for an extension. Counsel for OPC has consulted Plaintiffs'
6 counsel regarding the extension, and Plaintiffs' counsel agrees to this extension. The extension
7 does not affect any other previously scheduled dates.

8 DATED this 1st day of August, 2016

9 BROWNSTEIN HYATT FARBER SCHRECK, LLP

10 BY: /s/ Jeffrey S. Rugg
11 JEFFREY S. RUGG, ESQ., BAR NO. 10978
12 JRUGG@BHFS.COM
13 100 NORTH CITY PARKWAY, SUITE 1600
14 LAS VEGAS, NV 89106-4614
15 TELEPHONE: 702.382.2101
16 FACSIMILE: 702.382.8135

17 *ATTORNEYS FOR DEFENDANT*
18 *OTSUKA PHARMACEUTICAL CO., LTD.*

19 IT IS SO ORDERED:

20 

21 UNITED STATES MAGISTRATE JUDGE

22 8-02-2016
23 DATED: _____

BROWNSTEIN HYATT FARBER SCHRECK, LLP
100 North City Parkway, Suite 1600
Las Vegas, NV 89106-4614
702.382.2101

CERTIFICATE OF SERVICE

Pursuant to Fed.R.Civ.P.5(b), and Section IV of District of Nevada Electronic Filing Procedures, I certify that I am an employee of BROWNSTEIN HYATT FARBER SCHRECK, LLP, and that the foregoing **DEFENDANT OTSUKA PHARMACEUTICAL CO., LTD.'S UNOPPOSED MOTION FOR EXTENSION OF TIME TO RESPOND TO PLAINTIFFS' COMPLAINT (First Request)** was served via electronic service on the 1st day of August, 2016 and to the addresses shown below:

Brian D. Nettles, Esq.
NETTLES LAW FIRM
1389 Galleria Drive, Suite 200
Henderson, Nevada 89014
briannettles@nettlawfirm.com

Attorney for Plaintiffs

/s/ Karen Wiehl

An employee of Brownstein Hyatt Farber Schreck, LLP